

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO

03 OCT 28 AM 11:09

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM

Rio Brazos, Section 7

ANSWER TO COMPLAINT FOR ADJUDICATION OF WATER RIGHTS

COMES NOW SAMUEL DAVID DARBY (please print your full name)
DARBY REV. LIVING FAMILY TRUST

and answers the complaint as follows:

Subfile No

CHRB-004-0061

Object

☒

Claim No Right

☐

1. In answer to Complaint: For each subfile listed above, please **initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the State's proposed Consent Order, or whether you make no claim as to the water right(s) described in the State's proposed Consent Order.

If you object to the description of water right(s) and reject the State's proposed Consent Order, or if you make no claim as to the water right(s) set forth in the State's proposed Consent Order for any of the Subfile Numbers listed above, for each such Subfile Number please explain in the appropriate spaces below.

I object to the description of the water right(s) described by Subfile Number(s) _____

CHRB-004-0061 A+B because
WE BOUGHT THIS LAND WITH FULL INTENT OF
USING THE AVAILABLE WATER TO

IRRIGATE THE NATIVE TIMMOTHY GRASSES
FOR ~~THE~~ GRAZING OUR HORSES + CATTLE.
WE ~~ARE~~ HAVE CONTRACTED WITH A LOCAL
COMPANY TO PUT IN A VERY EXPENSIVE FENCE
JUST FOR THAT PURPOSE. PLEASE RECONSIDER
YOUR RULING AS IT IS CRITICAL TO OUR
OPERATIONS.

(Attach additional pages if necessary)

I made a good faith effort to resolve my disagreement with the State's proposed Consent Order by

(Attach additional pages if necessary)

I claim no right for the water right(s) described by Subfile Number(s) _____
_____ because

(Attach additional pages if necessary)

2. I understand that by making this claim and filing this document I am not waiving my rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I may have.

Dated: 6/24/03

Samuel Darby Darby
(Signature - DARBY REV. LIVING FAMILY TRUST)

30925 W. VIA TORTUGA
WICKENBURG, AZ 85390

(Address: Print Clearly)

928-684-3350
(Phone Number: Print Clearly)

IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you have waived service of process, you must file an answer in the United States District Court for the District of New Mexico by December 31, 2003. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the State's proposed Consent Order if you fail to file an answer by December 31, 2003. The court's address is: 333 Lomas NW, Suite 270, Albuquerque, NM 87102, or P.O. Box 2384, Santa Fe, NM 87504. A copy of the answer filed with the district court must also be sent to the Office of the State Engineer, Litigation and Adjudication Program, P.O. Box 25102, Santa Fe, NM 87504-5102.